IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.5190 OF 2005

Ranjit Vyankatrao Shelar .. Appellant
V/s
Gaurav Sumesh Sachadev & Ors. .. Respondents

Mr.M.B.Kotak for the Appellant.
Mr.S.M.Vidyarthi for the Respondent No.3.

CORAM: DR.S.RADHAKRISHNAN &
SMT.V.K.TAHILRAMANI, JJ.

DATE : 07.12.2005.

P.C.:

1. Rule. Rule is made returnable forthwith. Heard the learned Counsel for the Appellant and the learned Counsel for Respondent No.3. The presence of Respondent Nos.1 and 2 is not necessary. Perused the Civil Application. For the reasons stated therein, sufficient cause is made out for recalling the order dated 25.11.2005 whereby the Appeal was dismissed in default. There is no case of inaction, negligence or want of bonafide on the part of the Appellant. Hence, Civil Application is made absolute in terms of prayer clauses (a), (b) and (c).

2. Place the Appeal on board for final hearing on 19.12.2005.

(DR.S.RADHAKRISHNAN, J.)

(SMT.V.K.TAHILRAMANI, J.)